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## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX,  
if applicable:  
 DUPLICATE

ADDRESS TO: Box CPA Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket No. SYP-116
	First Named Inventor Fuchs

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 08/726,093,  
filed on October 4, 1996, entitled:

### METHODS AND KITS FOR HYBRIDIZATION ANALYSIS USING PEPTIDE NUCLEIC ACID PROBES.

#### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C., 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3.  This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent is enclosed.
5.  Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

RECEIVED  
JUL 31 1998

GROUP 1800

## Continued Prosecution Application (CPA)

Request Transmittal

Serial No.: 08/726,093

Page 2 of 2

	(1) CLAIMS	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	36 - 20 =	16	16 x \$ 22 =	\$ 352.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	4 - 3 =	1	1 x \$ 82 =	\$ 82.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 270 =	\$ -
				BASIC FEE (37 CFR 1.16(a))	\$ 790.00
			Total of above Calculations =		\$ 1,224.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$ -
				TOTAL =	\$ 1,224.00

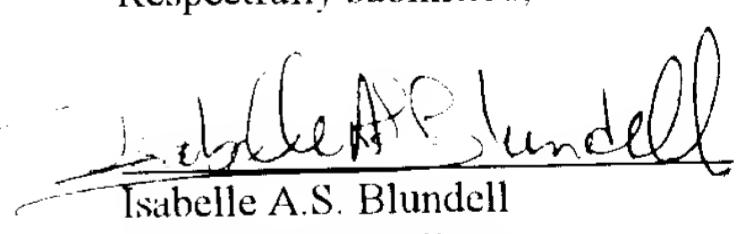
6.  Small entity status:

- A small entity statement is enclosed.
- A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- is no longer claimed.

7.  A check in the amount of \$1,224.00 is enclosed.

8.  The Commissioner is hereby authorized to credit overpayments or charge any additional fees required under 37 CFR 1.16 to Deposit Account No. 20-0531.

9.  A copy of the Petition and Fee for Extension of Time for \_\_\_\_\_ months up to and including \_\_\_\_\_ which was filed for the immediately prior application is enclosed herewith.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	<p>Respectfully submitted,</p> <p> Isabelle A.S. Blundell Attorney for Applicants Testa, Hurwitz &amp; Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110</p>



## FEE TRANSMITTAL

Note: Effective October 1, 1997.  
Patent fees are subject to annual revision

Complete if Known	
Application Serial Number	08/726,093
Filing Date	October 4, 1996
First Named Inventor	Fuchs
Group Art Unit	1634
Examiner Name	Marschel, A.
Attorney Docket No.	SYP-116

## METHOD OF PAYMENT

1.  Payment Enclosed:  
 Check  Money Order  Other

2.  The Commissioner is hereby authorized to credit or charge any fee indicated below to Deposit Account No. 20-0531.

Required Fees (copy of this sheet enclosed).  
 Additional fee required under 37 CFR 1.16 and 1.17.  
 Overpayment Credit.

## FEE CALCULATION

## 1. FILING FEE

## Large Entity

Fee (\$)	Fee Description	Fee Paid
790	Utility filing fee	790.00
330	Design filing fee	
150	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	36	- 20 =	16 x \$22.00	352.00
Independent Claims	4	- 3 =	1 x \$ 82.00	82.00
<input type="checkbox"/> Multiple Dependent Claim(s), if any			\$270.00 =	
				TOTAL: 1,224.00

## SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$)

1,224.00

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid	SUBTOTAL (3) (\$)
Total	-	=	x \$ 22.00 =		SUBTOTAL (1) 1,224.00
Indep	-	=	x \$ 82.00 =		SUBTOTAL (2)
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$270.00 =		SUBTOTAL (3)
					TOTAL (\$)
					1,224.00

## CORRESPONDENCE ADDRESS

Direct all correspondence to:  
 Patent Administrator  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110  
 Tel. No.: (617) 248-7000  
 Fax No.: (617) 248-7100

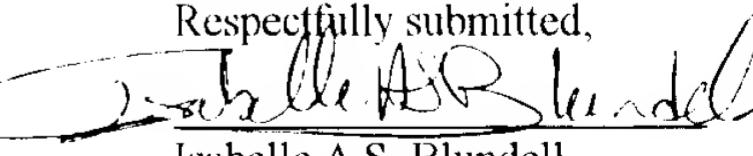
## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or	
130	130	Non-English specification	
2,520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
950	475	Extension for reply within third month	
1,510	755	Extension for reply within fourth month	
2,060	1,030	Extension for reply within fifth month	
310	155	Notice of Appeal	
310	155	Filing a brief in support of an appeal	
270	135	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional	
		applications	
240	240	Submission of Information Disclosure	
		Statement (37 CFR 1.97(c))	
130	130	Submission of Information Disclosure	
		Statement (37 CFR 1.97(d))	
790	395	Filing a submission after final rejection	
		(37 CFR 1.129(a))	
790	395	For each additional invention to be	
		examined (37 CFR 1.129(b))	
		Other (Specify)	

## SIGNATURE BLOCK

Respectfully submitted,

  
 Isabelle A.S. Blundell  
 Attorney for Applicants  
 Testa, Hurwitz & Thibeault, LLP  
 High Street Tower  
 125 High Street  
 Boston, MA 02110